

## The Parent Guide to Special Education

***"I think my child may need special help in school."***

What do I do?

What is special education?

How do I find out if my child is eligible for special education?

This guide is designed for parents who think their child may need special help in school.

A full text version may be viewed by clicking on the following link for the [National Information Center for Children and Youth with Disabilities \(NICHCY\)](#) Here is a summary of the paper.

### **What is Special Education?**

Special education is instruction specially designed, at no cost to you, to meet your child's or youth's unique needs. Special education can include classroom instruction, home instruction, instruction in hospitals and institutions, or other settings. It can also include instruction in physical education and vocational education.

The federal law that supports special education and related services is called the Individuals with Disabilities Education Act (IDEA). Under IDEA, all eligible school-aged children and youth with disabilities are entitled to receive a free appropriate public education (FAPE).

For more information about the law, see [Questions & Answers about the Individuals with Disabilities Education Act](#)

### **Steps in the Special Education Process**

1. **Identification**
2. **Request for an Evaluation**
3. **Evaluation**
4. **Eligibility for Special Education**
5. **Individualized Educational Program (IEP)**
6. **Re-evaluations**

#### **1. Identification**

There are many clues that your child may be having difficulty learning. Some disabilities affect hearing or vision. Others may affect speech or communication skills. Still others may be less visible but still affect learning. For some common signs of a learning disability, click on to:

<http://ldonline.org/ldbasics>

If your child is having difficulty, your school may first suggest a number of interventions, such as an SST . [Click here](#) for more information on the SST.

You may request an evaluation to determine if your child has a disability at any time.

#### **2. Your Child's Evaluation**

How do I find out if my child is eligible for special education?

The first step is to find out if your child has a disability. Ask your school to evaluate your child. Call or write to the principal. Say that you think your child has a disability and needs special education help. Ask the school to evaluate your child

as soon as possible.

Your school may also think your child needs special help, because he or she may have a disability. If so, then the school must evaluate your child at no cost to you.

However, the school does not have to evaluate your child just because you have asked. The school may not think your child has a disability or needs special education. In this case, the school may refuse to evaluate your child. It must let you know this decision in writing, as well as why it has refused.

If the school refuses to evaluate your child, ask your school for information about its special education policies, as well as parent rights to disagree with decisions made by the school system.

You may obtain an additional notice of your procedural safeguards by calling The SFUSD Special Education Office at 355-7735. You may also download it: **Parents Rights: [English](#), and [Spanish](#).**

You may also want to contact a parent support or advocacy organization. Organizations in Morgan Hill include:

Special Education Community Advisory Committee (CAC)	<b>Susan Fent</b> <b>fentspost@verizon.net</b>
---	---

### **Additional advocacy information**

#### **3. What happens during an evaluation?**

Evaluating your child means more than the school just giving your child a test or two. The school must evaluate your child in all the areas where your child may be affected by the possible disability. This may include looking at your child's health, vision, hearing, social and emotional well-being, general intelligence, performance in school, and how well your child communicates with others and uses his or her body. The evaluation must be complete enough (full and individual) to identify all of your child's needs for special education and related services.

The evaluation process involves several steps:

- Reviewing existing information
- Deciding if more information is still needed.

Before the school can conduct additional assessments of your child to see if he or she has a disability, the school must ask for your informed written permission. It must also describe how it will conduct this evaluation.

The IDEA gives clear directions about how schools must conduct evaluations. For example, tests and interviews must be given in your child's primary language (for example, Spanish) or in the way he or she typically communicates (for example, sign language). The tests must also be given in a way that does not discriminate against your child, because he or she has a disability or is from a different racial or cultural background.

#### **4. Your Child's Eligibility**

What does the school do with these evaluation results?

The information gathered from the evaluation will be used to make important decisions about your child's education. All of the information about your child will

be used:

- To decide if your child is eligible for special education and related services;  
and
- To help you and the school decide what your child needs educationally.

Parents are included in the group that decides a child's eligibility for special education services. This group will look at all of the information gathered during the evaluation and decide if your child meets the definition of a "child with a disability."

IDEA's Categories of Disability

- **Autism**
- **Deafness**  
Deaf-blindness
- **Hearing Impairment**
- **Cognitively Impaired**
- **Multiple Disabilities**
- Orthopedic impairment
- Other health impairment
- **Emotional Disturbance**
- **Specific Learning Disability**
- **Speech or Language Impairment**
- **Traumatic Brain Injury**
- **Visual Impairment, including Blindness**

What happens if my child is not eligible for services?

If the group decides that your child is not eligible for special education services, the school system must tell you this in writing and explain why your child has been found "not eligible." Under the IDEA, you must also be given information about what you can do if you disagree with this decision.

## 5. Writing An IEP

My child has been found eligible for special education. What next?

The next step is to write what is known as an Individualized Education Program- usually called an IEP. After a parent signs a consent to assess, a meeting must be held within 60 days to develop the IEP.

What is an Individualized Education Program?

An Individualized Education Program (IEP) is a written statement of the educational program designed to meet a child's individual needs. Every child who receives special education services must have an IEP.

The IEP has two general purposes:

1. to set reasonable learning goals for your child
2. to state the services that the school district will provide for your child

Who develops my child's IEP?

Many people come together to develop your child's IEP. This group is called the IEP team and includes most of the same types of individuals who were involved in your child's evaluation. Team members will include:

- you, the parents;
- at least one regular education teacher, if your child is (or may be)

- participating in the regular education environment;
- at least one of your child's special education teachers or special education providers;
- a representative of the public agency (school system) who (a) is qualified to provide or supervise the provision of special education, (b) knows about the general curriculum; and or or or or (c) knows about the resources the school system has available;
- an individual who can interpret the evaluation results and talk about what instruction may be necessary for your child;
- your child, when appropriate;
- representatives from any other agencies that may be responsible for paying for providing transition services (if your child is 16 years or, if appropriate, younger);
- other individuals (invited by you or the school) who have knowledge or special expertise about your child. For example, you may wish to invite a relative who is close to the child or a child care provider.

### **What happens during an IEP meeting?**

During the IEP meeting, the different members of the IEP team share their thoughts and suggestions. If this is the first IEP meeting after your child's evaluation, the team may go over the evaluation results, so your child's strengths and needs will be clear. These results will help the team decide what special help your child needs in school.

Remember that you are a very important part of the IEP team. You know your child better than anyone. Don't be shy about speaking up, even though there may be a lot of other people at the meeting. Share what you know about your child and what you wish others to know.

Special education instruction must also be provided to students with disabilities in what is known as the **Least Restrictive Environment**, or LRE. Both the IDEA and its regulations have provisions that ensure that children with disabilities are educated with non-disabled children, to the maximum extent appropriate.

The IDEA's LRE requirements apply to students in public or private institutions or other care facilities as well. Each state must further ensure that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily

### **Can my child's IEP be changed?**

Yes. At least once a year a meeting must be scheduled with you to review your child's progress and develop your child's next IEP. The meeting will be similar to the IEP meeting described above. The team will talk about:

- your child's progress toward the goals in the current IEP,
- what new goals should be added, and
- whether any changes need to be made to the special education and related services your child receives.

This annual IEP meeting allows you and the school to review your child's educational program and change it as necessary. But you don't have to wait for this annual review. You (or any other team member) may ask to have your child's IEP reviewed or revised at any time.

## 6. RE-EVALUATION

Will my child be re-evaluated?

Yes. Under the IDEA, your child must be re-evaluated at least every three years. The purpose of this re-evaluation is to find out:

- If your child continues to be a "child with a disability," as defined within the law  
and
- Your child's educational needs.

The re-evaluation is similar to the initial evaluation. It begins by looking at the information already available about your child. More information is collected only if it's needed. If the group decides that additional assessments are needed, you must give your informed written permission before the school system may collect that information. The school system may only go ahead without your informed written permission if it requests a state due process hearing and it prevails at that hearing.

Although the law requires that children with disabilities be re-evaluated at least every three years, your child may be re-evaluated more often if you or your child's teacher(s) request it.

### **How can I support my child's learning?**

Here are some suggestions that can help you support your child's learning and maintain a good working relationship with school professionals:

Let your child's teacher(s) know that you want to be involved in your child's educational program. Make time to talk with the teacher(s) and, if possible, visit the classroom.

Explain any special equipment, medication, or medical problem your child has.

Let the teacher(s) know about any activities or big events that may influence your child's performance in school.

Ask that samples of your child's work be sent home. If you have questions, make an appointment with the teacher(s) to talk about new ways to meet your child's goals.

Ask the teacher(s) how you can build upon your child's school activities at home.

Give your child chores at home. Encourage behavior that leads to success in school, such as accepting responsibility, behaving, being organized, and being on time.

Volunteer to help in the classroom or school. This will let you see how things work in the school and how your child interacts with others. It will also help the school.

Remember that you and the school want success for your child. Working together can make this happen.

Supporting your Child's Learning is from the [National Information Center for Children and Youth with Disabilities](#) (NICHCY)